

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re: Patent Application for Dornelas **Date:** Aug 21, 2003
Serial 09/578,194 **Art Unit:** 1635
No.:
Filed: 05/24/00 **Examiner**
For: Modulation of Storage Organs **Action:** 2nd part of Office action
Response

To: The Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Please amend the specification as indicated in attached.

Please amend the claims as indicated in the attached claims.

Remarks

please enter 315-104 3082
The Examiner's claim objections have been amended in accordance with the suggested method for correction. Also note that the specification has been amended to correct the misspelling after the initial correct spelling in the first instance of "dzeta". The amendments are attached hereto.

The Examiner indicated in paragraph 5 that the incorporation by reference of the material in the journal was not appropriate and this matter was to be inserted by amendment. Presently, the specification has been amended, as has the sequence listing, to include the sequence listing mRNA that was provided in the Genbank under the Accession X94938 as listed in the journal (incorporated by reference into the patent) that referenced dzeta sequence information. Additionally, the amino acid of this sequence was also referenced as were a number of the other "species" that are not presently elected. The applicant will incorporate the other material relating to the other species and the amino acids to the extent that Examiner allows a generic claim in the case and all species are placed back into the case. The Applicant has enclosed in the information disclosure some additional information concerning this Accession X94938. Also attached to this 2nd part of the office action response is the publicly available Genbank data that has been available since prior to the filing of this application.

Applicant's Attorney's Declaration.